Chapter Nine – The Judiciary  
  
1. Which of the following is not true about civil cases?   
a. The plaintiff and defendant are often private parties.   
b. The dispute is usually set out in a petition.   
c. The final court remedy is relief from or compensation for the violation of legal rights.   
d. There are tougher rules of procedure to balance or weigh the evidence.   
  
2. A criminal case does not involve   
a. a lawbreaker who may be punished by a fine or imprisonment or both.   
b. action by the state against the accused.   
c. a violation of penal law.   
d. cases that deal primarily with individual or property rights.   
  
3. To prove a defendant guilty in a criminal case, the state must provide   
a. a preponderance of the evidence.   
b. enough evidence that at least three-fourths of the jurors agree to guilt.   
c. more evidence than the defense.   
d. sufficient evidence that jurors will believe the defendant is guilty beyond a reasonable doubt.   
  
4. The burden of proof standard used in civil cases is   
a. reasonable doubt.   
b. probable doubt.   
c. beyond a reasonable doubt.   
d. a preponderance of the evidence.   
  
5. Original jurisdiction of a court involves all of the following except   
a. the viewing of material evidence.   
b. the examination of evidence to determine guilt in criminal cases or responsibility in civil cases.   
c. a trial that involves the determination of fact and the application of law.   
d. a review of the record.   
  
6. Appellate proceedings are based on   
a. burden of proof.   
b. documentary evidence.   
c. witnesses.   
d. review of law as applied in the original court.   
  
7. Which court has exclusive jurisdiction to try violations of city ordinances?   
a. Municipal   
b. District   
c. Justice of the peace   
d. Appeals   
  
8. The vast majority of cases heard by municipal courts involve   
a. minor lawsuits.   
b. class B misdemeanors.   
c. traffic and parking violations.   
d. violations of county ordinances.   
  
9. The justice of the peace courts are authorized by   
a. a city charter.   
b. the commissioners’ court.   
c. a state statute.   
d. the Texas Constitution.   
  
10. Duties of the justice of the peace courts may include all of the following except   
a. criminal cases where the fine in less than $500.   
b. performing marriages.   
c. acting as coroner.   
d. civil cases where the dispute involves less than $100,000.   
  
11. District courts are often described as the \_\_\_\_\_\_\_\_\_ of the state, and as a group these courts are called the general trial courts.   
a. chief trial courts   
b. intermediate courts   
c. trial courts   
d. de novo courts   
  
12. District court jurisdiction extends to all of the following except   
a. felony cases.   
b. civil cases exceeding $200.   
c. juvenile cases.   
d. original jurisdiction for traffic cases. 

13. Which of the following is not an original jurisdiction of the Texas Supreme Court?   
a. Conducting proceedings for involuntary retirement or removal of judges   
b. Issuing writs   
c. Making rules that govern the licensing of members of the state bar   
d. Ruling in death penalty cases   
  
14. In 1989, in which court case did the Texas Supreme Court unanimously declare that the huge disparities between rich and poor school districts were unacceptable and ordered changes in the financing of Texas’s public schools?   
a. Edgewood v. Kirby   
b. Edgewood v. SAISD   
c. Edgewood v. Perry   
d. Rodriguez v. Edgewood   
  
15. Which of the following statements about indictments in Texas is incorrect?   
a. If an indictment is not returned, the conclusion of the grand jury is a no bill.   
b. The vote of all of the 12 grand jurors is needed to indict.   
c. An indictment is the responsibility of the grand jury.   
d. An indictment is sometimes referred to as a true bill.   
  
16. Which of the following statements about grand jurors is incorrect?   
a. At times, a grand jury may return indictments simply because the district attorney asks for them.   
b. Grand juries return true bills in about 95 percent of the situations brought before them.   
c. The accused can have an attorney in the room during questioning.   
d. Some grand juries, known as “runaway” grand juries, may consider matters independent of the district attorney’s recommendation.   
  
17. Texas officially uses which method to select state judges?   
a. Nonpartisan election   
b. Merit plan   
c. Partisan election   
d. Appointment by governor